



DECISION MEMO

Upper North Fork Salmon River Fuels Reduction and Fire Safety Project

U.S. Forest Service

Salmon River Ranger District

Klamath National Forest

Siskiyou County, CA

BACKGROUND

The U.S. Forest Service has the responsibility for prevention, protection, and suppression of wildland fires on National Forest administered lands and on adjacent and intermingled State and private forested lands as identified through written agreement. The Forest has been working collaboratively with communities and neighborhoods in developing Community Wildfire Protection Plans (CWPP) that are within the Klamath National Forest's Direct Protection Area. Because wildland fires on federal lands pose a potential threat to the lands of others, it is to the mutual advantage of the collaborators to coordinate efforts in projects related to fuels management.

The management direction within the Salmon River CWPP is to reduce fuels above and below landowner properties in order to slow fire encroachment; create shaded fuel breaks along main roads, access roads, and key ridge tops throughout the watershed; and to continue defensible space fuel reduction activities around homes.

The management direction for the Salmon/Scott River Ranger District is to develop and maintain partnerships with cooperating organizations and agencies in the development and implementation of resource-based programs and activities (Forest Plan, page 4-66). Specific direction for funding hazardous fuels management activities on private land that implement a community wildfire protection plan and benefit resources on Federal land is found in appropriation legislation.

DECISION

I have decided to approve the Upper North Fork Fuels Reduction and Fire Safety Project to reduce the risks and impacts of wildfire on private property surrounded by the Klamath National Forest, to reduce the likelihood of fires spreading from private property to National Forest lands and vice-versa, and to help recently burned private properties recover from fire impacts and prepare them for future prescribed burning and the restoration of a more natural fire regime.

This project will treat flammable fuels on up to 120 acres on selected private properties within high fire risk areas in the upper North Forks Salmon River watershed, in an area roughly bounded by the Little North Fork, Tanners Peak, Eddy Gulch Lookout, and Etna Summit, all within Siskiyou County, CA. Treatments include the creation of defensible space zones around structures and critical infrastructure by manually removing excess flammable vegetation, limbing and thinning small diameter trees, removing snags, and clearing the ground of flammable debris. Shaded fuel breaks will be created by thinning small diameter understory and mid-story

vegetation (ladder fuels) and by cutting and clearing ground fuels. Residue would be hand-piled and burned or chipped on site. See Appendix A for a map of the project area and proposed action.

This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable category of actions is identified in agency procedures as 36 CFR 220.6(e)(6) – Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than 1 mile of low standard road construction – and does not require documentation in a decision notice or record of decision.

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

- A review of federally listed threatened and endangered species known to exist in the project area and species for which habitat exists in the project area was prepared. No adverse impacts to threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, will occur by this action. A Wildlife Biological Assessment was completed for this project, the determination for this project was, may affect, not likely to adversely affect northern spotted owl or designated critical habitat, and no effect to gray wolf. Project design features are included in the proposed action to avoid potential impacts to the northern spotted owl or gray wolf, they are included in the Categorical Exclusion Checklist and in Appendix B of this Decision. This project underwent informal Section 7 consultation with the United States Fish and Wildlife Service, a letter of concurrence was issued on the Biological Assessment on June 24, 2019. The project meets the requirements set forth in the programmatic biological assessment tiered to for fisheries. Forest Service Sensitive species and management indicator species on private are not analyzed. It was also determined that the project would have no effect on other federally listed species as there is no suitable habitat or the project activities are outside the known or expected range of these species (See the Categorical Exclusion Checklist for this project for further detail). There is no need for additional analysis or implementation of protective measures under the Endangered Species Act of 1973. No extraordinary circumstances exist for this resource condition.
- Flood plains, wetlands, or municipal watersheds – None exist within the project area. No extraordinary circumstances for this resource condition.
- Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas – this is not applicable for national recreation areas or wilderness study areas on private land. This project is not located in a designated wilderness. No extraordinary circumstances exist for this resource condition.
- Inventoried roadless areas or potential wilderness areas – None are present within the project area. No extraordinary circumstances exist for this resource condition.

- Research natural areas – None are present within the project area. No extraordinary circumstances exist for this resource condition.
- American Indians and Alaska Native religious or cultural sites – None are present within the project area. No extraordinary circumstances exist for this resource condition.
- Archaeological sites, or historic properties or areas – This project is a screened undertaking as provided for in the Region 5 Programmatic Agreement, Stipulation 7.2, Appendix D, 2.3(y) and was cleared and certified under Archaeological Report R2016-05-05-22316-0. Due to prevalence of cultural resources in the area, project design features are recommended (see Appendix B of this decision).
- The environmental effects of the project are minimal. Any environmental effects will be limited in terms of duration, intensity, and degree of disturbance. All practicable means to avoid or minimize environmental harm have been adopted.

PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the Klamath National Forest Schedule of Proposed Actions and updated periodically during the analysis. Scoping letters were sent to interested or affected parties and federally recognized tribes and federal, state, and local agencies in September of 2016. Five commenters responded to the scoping notice as displayed in Table 1 below.

Table 1. Comments Received during the Scoping Period

| Name of Commenter | Scoping Comments Received |
|-------------------|----------------------------------|
| Dean McBroom | By email on October 14, 2016 |
| Mike Kerrick | By phone during scoping period |
| Robert Zelonis | By phone during scoping period |
| Rich Marshall | By phone during scoping period |
| Brandon Rogers | Letter received October 11, 2016 |

Most comments were supportive of the proposed treatments. Some comments were neither supportive or in opposition to the project, but were statements of concern or a need for clarification regarding the purpose of the project.

One commenter wanted to ensure that no work would take place on private property without notification. No work will take place on any private property without the notification and written consent of the landowner.

Two commenters pointed to a need for fuels treatments on National Forest land surrounding private properties. Fuels treatments on National Forest land are outside the scope of this project, which is limited to privately owned lands due to the requirements of the federal funding that

supports the project. However, in an effort to expedite future fuels treatments on private properties and National Forest land surrounding them, the Salmon River Restoration Council expanded the geographic scope of this project's wildlife analysis to include all privately owned properties in the Salmon River watershed upstream of Nordheimer Flat plus a 500-foot buffer on National Forest land around every property (totaling 11,104 acres). Although this analysis does not, in itself, authorize that work to be performed, it should streamline environmental compliance for future projects by providing a comprehensive, ready-to-use wildlife analysis.

Two commenters suggested a total of three different private properties to include in the project. The three suggested properties are all within the defined project area and are being considered for potential fuels treatments. The properties that will be selected for treatment will be determined by a variety of factors and not all properties within the project area can be treated due to financial limitations. It is expected that about 120 acres of private land can be treated with current available funding, however, there are 1,810 acres of private land within the project area.

One commenter pointed out that recently burned private properties were the result of fires initiating on National Forest lands but that the project's scoping letter stated that a purpose of the project was to reduce risk from fires spreading from private property to National Forest lands. To address the commenter's point that wildfire also moves from National Forest lands to private properties, the project's description has been updated to:

The purpose of this project is to reduce the risks and impacts of wildfire on private property surrounded by the Klamath National Forest, to reduce the likelihood of fires spreading from private property to National Forest lands and vice-versa, and to help recently burned private properties recover from fire impacts and prepare them for future prescribed burning and the restoration of a more natural fire regime.

One commenter expressed support for the use of managed wildfire for the benefit of wildlife habitat and protection of life and property. The use of managed wildfire is outside the scope of this project, however, the completed project will provide benefits that should facilitate the use of managed wildfire near treated properties.

One commenter questioned why there is federal involvement in this project. Although the project will take place exclusively on private land, the project's primary source of funding is the federal government. This federal financial support triggers federal involvement with the environmental compliance portion of the project. Nearly all other aspects of the project are managed by the Salmon River Restoration Council and do not require substantial federal involvement beyond funding. The purpose of federal support for this project is to assist landowners with fuels treatments on private land surrounded by National Forest land that will be mutually beneficial to the landowners and the public through decreased fire risk and severity.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

The Magnuson-Stevens Fisheries Conservation and Management Act

The Forest is not requesting consultation or conservation recommendations for Essential Fish Habitat (EFH) because the Forest has determined that there are no adverse effects to EFH through its ESA determination of "No Effect" to coho salmon or its Critical Habitat. The



distribution of EFH is equivalent to the distribution of Critical Habitat.

Executive Order 12898 - Environmental Justice

Executive Order 12898 relating to Environmental Justice requires an assessment of whether implementation of this decision will disproportionately affect minority or low-income populations. This project will not disproportionately affect any minority or low-income populations.

IMPLEMENTATION DATE

This decision is not subject to administrative review and may be immediately implemented pursuant to the conditions and requirements listed above.

CONTACT

For additional information concerning this decision, contact: Danika Carlson (530)468-1225 (danika.carlson@usda.gov).

Ruth D'Amico
District Ranger

7/11/2019
Date

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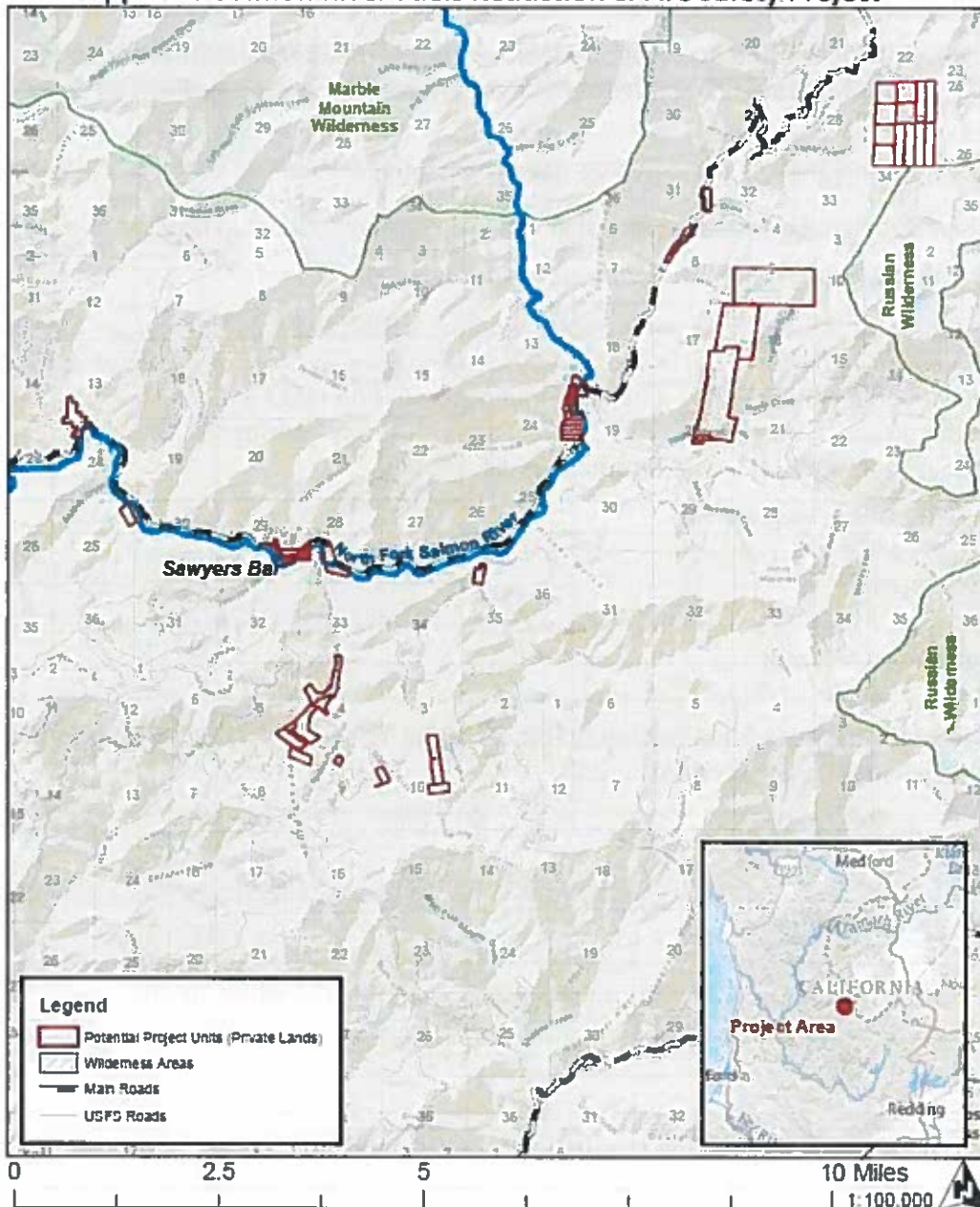
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APPENDIX A – PROJECT AREA MAP

Project Overview Map

SRRC Upper NF Salmon River Fuels Reduction & Fire Safety Project



Map by Scott Harding, Salmon River Restoration Council - Fire, Fuels, & Forestry Program - fire@smc.org

APPENDIX B – PROJECT DESIGN FEATURES

Project design features for wildlife and archaeological resources are incorporated into the project action to avoid the potential for negative impacts.

Wildlife Project Design Features

Wildlife -1: The following limited operating periods would be implemented for the specified project activity types within each unit according to the LOP requirements listed in Table Wildlife-1:

From February 1 to September 15 for activities that alter habitat

From February 1 through July 9 for activities that cause disturbance (noise, visual, smoke)

From February 1 through July 31 for underburning only

LOPs may be lifted if a protocol-level survey following the USFWS 2012 *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls* or most current version of the protocol is conducted by a qualified biologist and no NSO are detected. If survey results indicate the presence of a single NSO, project activities may commence after July 15. If an NSO pair are present, the LOPs would remain in effect.

Table Wildlife- 1: NSO LOPs in Project Units

| Unit | LOP Requirements |
|------|-------------------------------------------------------------------------------------------------------------------------------|
| 1 | LOP applies to full unit. |
| 2 | No LOP in dispersal and non-habitat uphill of Taylor Lake Road or in SE ¼ of unit. LOP applies to all other portions of unit. |
| 3 | LOP applies to full unit. |
| 4 | LOP applies to full unit. |
| 5 | No LOP on upper 2/3 area of unit. LOP applies to all other portions of unit. |
| 6 | No LOP. |
| 7 | No LOP in dispersal habitat and non-habitat. LOP applies to all other portions of unit. |
| 8 | LOP applies to full unit. |
| 9 | No LOP east of North Fork Salmon River. LOP applies to all other portions of unit. |
| 10 | No LOP in dispersal habitat and non-habitat. LOP applies to all other portions of unit. |

| Unit | LOP Requirements |
|------|-----------------------------------------------------------------------------------------------------------------------------------|
| 11 | No LOP in dispersal habitat and non-habitat in southern half and eastern half of unit. LOP applies to all other portions of unit. |
| 17 | LOP applies to full unit. |
| 18 | No LOP in dispersal habitat and non-habitat LOP applies to all other portions of unit. |
| 19 | LOP applies to full unit. |
| 21 | No LOP to the east of the north/south running ridgeline that divides the unit. LOP applies to all other portions of unit. |
| 23 | LOP applies to full unit. |

Wildlife -2: Project activities will not remove or downgrade NSO nesting/roosting or foraging habitat. No removal or reduction in overstory canopy closure will occur within these habitat types. A diameter limit of 8 inches DBH in NSO suitable habitat and 10 inch DBH outside suitable habitat will be utilized in order to maintain multi-layered stand structure while allowing for sufficient fuels treatment to reduce fuel loading and ladder fuels and reduce the likelihood of high intensity wildfire. No overstory trees will be removed.

Wildlife -3: While snag removal is not proposed as a treatment in the project, individually evaluated snags may be felled where they pose a safety risk during operations or to landowners and the public, or where they are determined to pose a fire hazard on or within 200 feet of private property or within 200 feet of ingress/egress roads and roads accessing private property. Snags will not be cut where they are not determined to pose a safety or fire hazard. Whenever feasible, felled snags will be retained in the longest lengths possible as downed wood and will be oriented parallel to hillslope to reduce rollout potential during fires.

Wildlife -4: Coarse woody debris (CWD) removal is not proposed as a treatment in the project. Coarse wood debris greater than 16-inch diameter will be maintained and protected from disturbance to the greatest extent possible during cutting, mechanical treatment, and pile burning activities. CWD will not be cut or moved except as necessary for site access, to ensure worker safety, and as needed for fire lines. Burn piles will be placed away from CWD to reduce the possibility of their ignition during pile burning.

Wildlife -5: To minimize loss of nesting, roosting, foraging, resting, and prey base habitat components (including mycorrhizal fungi), prescribed underburning will occur during conditions that will not consume more than 10% of down logs in the 16-inch diameter and larger size class.

Wildlife -6: No more than 50 percent of suitable habitat within any NSO core or homerange will be treated with prescribed fire by this project, not to exceed 10 percent per core or homerange on

a rolling annual basis (i.e., within 12 months of last ignition date). In the event a new NSO activity center is established, this same design feature will apply.

Wildlife -7: During each prescribed fire entry, the mortality of retained trees within mixed conifer and riparian stands will not exceed 60% mortality within the size class less than 4 inches DBH, 30% mortality for trees 4-8 inches DBH, and no more than 5% mortality for trees greater than 8 inches DBH. No snags will be directly ignited. The end result should be a mosaic of burned and unburned shrub and understory vegetation pockets throughout a treatment stand.

Wildlife -8: For pile burning and prescribed underburning treatments, snags, coarse woody debris, woodrat nests, wildlife trees and other features desired for retention will be protected, to the extent feasible, from unintended ignition through strategic pile placement, staged ignition of adjacent piles to reduce heat and ember generation, and the use of fire control methods such as fire line and water use. Piles will be ignited using drip torches or propane burners in such a manner that allows any wildlife within to escape. Where pile burning is conducted in NSO nesting/roosting and foraging habitat, two unburned slash piles will be left per acre to provide habitat for small mammals. Pile size will vary but in general would not exceed 6 feet wide by 6 feet long by 6 feet tall. Piles to remain onsite will be located sufficient distances from trees to be retained to reduce the potential for tree scorch or damage. In addition, piles to be retained will generally be selected within the interior of the project unit and away from untreated areas.

Wildlife -9: When burning in spring outside the prescribed LOPs, smoke should be managed so that light to moderate, dispersed smoke may be present in an area, but dissipates or lifts within 24 hours. Ignition should be discontinued if heavy, concentrated smoke begins to inundate the area.

Wildlife -10: Prescribed burning will be conducted where fuel and weather conditions are favorable for safe, controlled burning with overall low fire intensity, limited areas of moderate fire intensity, and desirable fire effects. A National Wildfire Coordinating Group (NWCG) compliant burn plan will be prepared for each prescribed burn operation and will be reviewed and signed by a current NWCG-qualified Burn Boss. Burn operations will be conducted according to NWCG standards, the burn plan, and will be overseen by an appropriately qualified NWCG Burn Boss with all resources indicated in the burn plan.

Wildlife -11: For any mechanical mastication treatments, a rotary masticator head attached to an articulated arm on an excavator or other piece of equipment will be utilized in order to allow for more precise control of the treatment.

Wildlife -12: If a gray wolf or gray wolf activity is identified within a project unit or within one mile of a project unit, USFWS will be notified within 48 hours and a determination will be made if this activity indicates an active den or rendezvous site is in the area.

Wildlife -13: If an active project unit is located within one mile of a known active (or previously established) gray wolf den or rendezvous site and the project cannot be altered to drop the treatment or activity, the following seasonal restrictions (LOPs) will be implemented and are expected to minimize the potential for direct and indirect effects to wolf reproductive behaviors to a discountable level:

Activities that produce noise greater than 20 decibels above ambient sound levels or contribute to a maximum sound level greater than 90 decibels within one mile of a known active den site (or previously established den site) will not be implemented between February 1 and June 30. This den site seasonal restriction is expected to provide protection from any prolonged or substantial vegetation management-related disturbance during the critical pup-rearing period at early rendezvous site(s).

Activities that produce noise greater than 20 decibels above ambient sound levels or contribute to a maximum sound level greater than 90 decibels within one mile of known, active rendezvous sites (or previously established rendezvous sites) will not be implemented between June 1 and August 31.

For previously established den or rendezvous sites, these seasonal restrictions may be lifted if year-of-implementation surveys prior to (within two months) or during project activities show there are no reproducing wolves within one mile of the activities (surveys could include camera or telemetry data, site reviews for evidence, other supported survey results).

The distance for these seasonal restrictions may be reduced based on proximity to high-use road systems or recreation areas, topography or other supported rationale. Any modifications will be discussed and agreed-to at the project-specific Level 1 or Section 7 consultation meeting.

Wildlife-14: If a den site is detected within one mile of a project unit or project activity prior to or during implementation, activities that result in noise greater than 20 decibels above ambient sound levels or contribute to a maximum sound level greater than 90 decibels are not permitted within one mile of the den site from the time of detection through June 30.

Wildlife-15: If an active rendezvous site is detected within one mile of a treatment unit or project activity prior to or during implementation, activities that result in noise greater than 20 decibels above ambient sound levels or contribute to a maximum sound level greater than 90 decibels are not permitted within one mile of the rendezvous site from the time of detection through August 31.

Archaeology Project Design Features

Due to the prevalence of cultural resources in the area, the following project design features are recommended:

Arch-1- Private property owners and project implementers will be informed of the likely presence of both historic and prehistoric resources within the project area prior to implementation.

Arch-2- Private property owners and project implementers will pile and burn in locations where the ground surface is visibly clear of cultural resources.

Arch-3- Private property owners and project implementers will contact the District Archaeologist at the Salmon/Scott River Ranger District if they have any questions or concerns about the presence of cultural resources or the potential effects of the project on these resources.

Arch-4- In the unlikely event that human remains are discovered during implementation, all project work in the immediate vicinity will stop and the County Coroner and Klamath National Forest will be contacted.

